

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
3:19-CR-00358-RJC-SCR

USA

v.

KANE KILEAL LAMONT MOORE

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ORDER

THIS MATTER is before the Court upon motion of the defendant to amend his presentence report (PSR). (Doc. No. 35). The defendant asserts that he should not have received a criminal history point for charges that were allegedly dismissed, and he seeks to be sentenced based on accurate information.

The PSR documents that the defendant was arrested on February 20, 2018, on charges of possessing drug paraphernalia, marijuana, and marijuana paraphernalia. (Doc. No. 24 ¶ 38 (Rowan Co. (North Carolina) Case Nos. 18CR050793-1, 18CR050793-2, 18CR050794)). He was convicted and sentenced to \$25 and costs on the first two charges, while the third was dismissed. (Id.).

The defendant had a full and fair opportunity to object to information in the PSR; indeed, he filed several objections. (Doc. Nos. 23, 26, 27, 28, 29). After a hearing, the Court adopted the PSR, except for its determination that the defendant qualified as an armed career criminal. The resulting Judgment, (Doc. No. 32), was entered on August 26, 2021, and became final when the defendant did not appeal. The defendant has not provided any basis in law to amend the PSR or resentence him at this stage of the proceedings based on his claim.

IT IS, THEREFORE, ORDERED that the defendant's motion is **DENIED**.
Signed: July 1, 2024

A handwritten signature in cursive script, reading "Robert J. Conrad, Jr.", written over a horizontal line.

Robert J. Conrad, Jr.
United States District Judge

